

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

_____)	
JAMES W. BARTON,)	
Petitioner,)	
)	
v.)	Civil Action No. 03-40271-NMG
)	
STEVEN J. O'BRIEN,)	
Respondent.)	
_____)	

**MOTION FOR ENLARGEMENT OF TIME
TO FILE RESPONSIVE PLEADING TO PETITION FOR HABEAS CORPUS**

Respondent, through counsel, respectfully requests that this Court enlarge the time to file an answer or other responsive pleading and to extend the deadline to file such a pleading to January 29, 2004. In support thereof, respondent states that:

1. Pursuant to this Court's order of December 5, 2003, an answer or responsive pleading is due on December 29, 2003.

2. That order also requests that respondent to obtain documents reflecting whether petitioner has exhausted available state remedies.

3. Respondent has requested, but not yet received, the relevant documents.

4. Respondent therefore requires a brief additional period in which to obtain these documents and prepare an appropriate responsive pleading.

5. Respondent has not requested any other extensions of time in this matter.

For these reasons, respondent respectfully requests that this motion be allowed, and that time to file a responsive pleading be extended to January 29, 2004.

Respectfully submitted,

THOMAS F. REILLY
ATTORNEY GENERAL

/s/ David M. Lieber

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ATTORNEYS FOR RESPONDENT

Dated: December 22, 2003